13 *July* 1840.—4 Vict.

(Ireland.)

CARLTON CLUB.

A

# B I L L

[AS AMENDED BY THE COMMITTEE]

For vacating the Contract between John North and the Commissioners for Rebuilding the Gaol of Newgate in Dublin, and indemnifying the said John North in consequence thereof.

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WHEREAS an Act passed in the seventh year of the reign of his late Majesty King George the Fourth, intituled, "An Act for consolidating and amending the Laws relating to Prisons in Ireland:" Preamble: 7 Geo. 4. c. 74.

And whereas in consequence of the Report of the Inspectors-General of Prisons in Ireland, it is inexpedient to incur the expense of rebuilding the Gaol of Newgate, in the City of Dublin, as originally proposed, in consequence of the said Act:

And whereas it is expedient to make void any Presentment that may have been made in pursuance of the said Act by the Grand Jury of the County of the City of Dublin for the rebuilding of the Gaol of Newgate, in the City of Dublin, save as to any instalments already collected of any sum presented for that purpose, and also to make void any contract which may have been entered into for the rebuilding of the said Gaol; and it is also just and expedient to provide for the payment of any sum which, under any arbitration entered into between the Commissioners appointed by the Grand Jury of the said County of the City of Dublin for the rebuilding of the said Gaol, and the Contractor who may have contracted with the said Commissioners for rebuilding the same, shall be awarded to such Contractor as compensation for any losses sustained by him by reason of such contract not being carried into effect:



And

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And whereas certain sums of money have, under the provisions of the said Act, been paid by the Treasurer of the County of the City of Dublin to the Collector of Excise of the Dublin District;

1. Presentment for rebuilding the Gaol of Newgate, and all Contracts for rebuilding the said Gaol declared void.

**BE it therefore Enacted**, by The QUEEN's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT any such presentment which may have been heretofore made by any Grand Jury for the County of the City of Dublin, of any sum of Money for or towards the rebuilding of the said Gaol, and any contract entered into between such Commissioners and any person for rebuilding the said Gaol of Newgate, and all contracts and agreements between the said parties relating thereto, shall be and the same are hereby declared to be absolutely null and void to all intents and purposes whatever.

2. Amount of Compensation to be awarded to be paid to contractor under the direction of the Commissioners of the Treasury out of the amount of Presentments heretofore made; and any surplus to be paid over to the Treasurer of the County of the City of Dublin, and any deficiency to be supplied by Grand Jury Presentment.

And be it Enacted, That the award to be made by such arbitrators or umpire as aforesaid shall be final and conclusive between the said Commissioners and the said Grand Jury and such contractor, to all intents and purposes whatever; and that when and so soon as the said arbitrators or umpire shall have made their or his said award, to be given under their several and respective hands and seals, and that the same shall be communicated to the Lord Lieutenant or other Chief Governor or Governors of Ireland, it shall and may be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland for the time being, to cause to be advanced to the said contractor out of any monies that shall have been paid to the Collector of Excise of the Dublin district, for or on account of any instalments of any Presentment heretofore made for rebuilding the said Gaol of Newgate, so much as shall be equivalent to the sum awarded to the said contractor for such compensation as aforesaid, in case the said monies shall be sufficient for that purpose; and in case there shall be any surplus, that the said Commissioners of Her Majesty's Treasury shall cause such surplus to be paid over to the Treasurer of the public money for the County of the City of Dublin, for the use of the said County of the City of Dublin; and in case the sum so awarded to the said contractor shall exceed the amount of all the instalments then paid to the Collector of Excise for the said Dublin District, for and on account of the said Presentment, that the whole amount of the said instalments shall be paid over by the said Commissioners of Her Majesty's Treasury to the said contractor, in part discharge of the amount of said award; and the balance of such account so awarded shall, on the certificate of the Secretary or Under Secretary of the Lord Lieutenant, ascertaining the same at the next presenting term after such award shall be made,

be

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he raised by Presentment by the Grand Jury of the said County of the City of Dublin off the said County of the City of Dublin, in like manner as Grand Jury Presentments are now made by any Act now in force for the raising of Grand Jury Presentments in the County of the City of Dublin.

3. If the Grand Jury refuse to present for ascertained balance, the Court empowered so to do.

And be it Enacted, That in case the Grand Jury of the county of the City of Dublin, at such presenting term as aforesaid, shall neglect, decline or refuse duly to present the said balance so ascertained as aforesaid, the court at such presenting term may and shall make an order, directing the sum which ought to have been so presented, to be raised and levied as if the same had been so presented, and such order shall have the force and effect of a presentment; and the Treasurer of the county of the City of Dublin shall insert the sum mentioned in such order in his warrant, and the same shall be applotted, raised, levied and applied in like manner to all intents and purposes as if the same had been duly presented by such Grand Jury.

4. Act may be altered this Session.

And be it Enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

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# *Newgate Gaol (Dublin).*

(Ireland.)

A

# B I L L

[AS AMENDED BY THE COMMITTEE]

For vacating the Contract between John North and the Commissioners for Rebuilding the Gaol of Newgate in Dublin, and indemnifying the said John North in consequence thereof.

*(Prepared and brought in by Mr. Solicitor General for Ireland and Lord Viscount Morpeth.)*

*Ordered, by* The House of Commons, *to be Printed,*
6 *July* 1840.

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*Under* 1 *oz.*

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